



COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Steve Tate, Mayor Pro Tempore
Larry Carr, Council Member
Mark Grzan, Council Member
Greg Sellers, Council Member

REDEVELOPMENT AGENCY

Dennis Kennedy, Chair
Steve Tate, Vice-Chair
Larry Carr, Agency Member
Mark Grzan, Agency Member
Greg Sellers, Agency Member

FINANCING AUTHORITY

Dennis Kennedy, President
Steve Tate, Vice-President
Larry Carr, Authority Commissioner
Mark Grzan, Authority Commissioner
Greg Sellers, Authority Commissioner

WEDNESDAY, JANUARY 26, 2005

AGENDA

JOINT MEETING

REDEVELOPMENT AGENCY REGULAR MEETING

and

CITY COUNCIL SPECIAL MEETING

and

MORGAN HILL FINANCE AUTHORITY COMMISSION MEETING

7:00 P.M.

***A Special City Council Meeting and Financing Authority
Commission Meeting Is Called at 7:00 P.M. for the Purpose
of Conducting Closed Sessions and City Business.***

Dennis Kennedy, Chairperson, Mayor, and
President of the Financing Authority Commission

CALL TO ORDER

(Chairperson/ Mayor /President Kennedy)

ROLL CALL ATTENDANCE

(Agency Secretary/ City Clerk/Authority Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(Agency Secretary/ City Clerk/Authority Secretary Torrez)

7:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATION

Silicon Valley Reads

Melinda Cervantes, County Librarian

Rosanne M. Macek, Community Librarian

RECOGNITION

Retiring Senior Advisory Committee Member

Marilyn Gadway

OTHER REPORTS

Finance & Audit Committee Quarterly Report

City Treasurer Roorda

CITY COUNCIL SUBCOMMITTEE REPORTS

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY
COUNCIL/REDEVELOPMENT AGENCY.**

Redevelopment Agency Action

CONSENT CALENDAR:

- ITEM 1** The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate

Page

Consent Calendar: 1 - 10 Minutes

1. **DECEMBER 2004 RDA FINANCE & INVESTMENT REPORT** 1
 Recommended Action(s): **Accept** and **File** Report.

City Council Action

CONSENT CALENDAR:

ITEMS 2-4

Time Estimate

Page

Consent Calendar: 1 - 10 Minutes

2. **DECEMBER 2004 CITY FINANCE & INVESTMENT REPORT** 11
 Recommended Action(s): **Accept** and **File** Report.
3. **MORGAN HILL LIBRARY – SELECTION OF CONSTRUCTION MANAGEMENT FIRM** 37
 Recommended Action(s): **Authorize** the City Manager to Execute a Consultant Agreement with TBI Construction Management, Inc. for a Total Fee Not to Exceed \$1,195,000; Subject to Review and Approval by the City Attorney.
4. **AQUATICS CENTER BUDGET UPDATE** 47
 Recommended Action(s): **Information** Only.

City Council and Morgan Hill Financing Authority Action

PUBLIC HEARINGS:

	Time Estimate		Page
5.	10 Minutes	<u>REFINANCING OF MADRONE BUSINESS PARK ASSESSMENT DISTRICT BONDS – SERIES 2000-1</u>	51
		Public Hearing Opened.	
		Please Limit Your Remarks to 3 Minutes. Public Hearing Closed	
		Council Discussion.	
		<u>Acting as City Council:</u>	
		1) Action- <u>Adopt</u> Resolution Declaring Intention to Issue Refunding Bonds and Directing Preparation of a Reassessment Report;	
		2) Action- <u>Adopt</u> Resolution Approving a Reassessment Report and Confirming Reassessments;	
		3) Action- <u>Adopt</u> Resolution Authorizing the Issuance and Sale of Bonds; and	
		4) Action- <u>Adopt</u> Resolution Making a Finding of Significant Public Benefit.	
		<u>Acting as Financing Authority Commission:</u>	
		5) Action- <u>Adopt</u> Resolution Authorizing the Issuance, Sale, and Delivery of Bonds.	
		<u>Acting as City Council:</u>	
		6) Action- <u>Approve</u> Agreements with RBC Dain Rauscher Inc. for Financial Advisory Services;	
		7) Action- <u>Approve</u> Agreements with Richards, Watson & Gershon for Bond Counsel and Disclosure Counsel Services;	
		8) Action- <u>Approve</u> Agreements with NBS Government Finance Group for Reassessment Engineering Services;	
		9) Action- <u>Approve</u> Agreements with Carneghi-Blum & Partners, Inc. for Appraisal Services; and	
		10) Action- <u>Direct</u> the City Manager to Execute these Agreements, Subject to Review and Approval by City Attorney.	

City Council Action

OTHER BUSINESS:

	Time Estimate		Page
6.	15 Minutes	<u>VALLEY TRANSPORTATION AUTHORITY (VTA) PRESENTATION OF VALLEY TRANSPORTATION PLAN (VTP) 2030</u>	55
		<u>Recommended Action(s): Receive</u> Presentation from VTA Staff on Proposed Valley Transportation Plan (VTP) 2030.	

Redevelopment Agency Action

OTHER BUSINESS:

	Time Estimate		Page
7.	10 Minutes	<u>EXTENSION OF EXCLUSIVE RIGHT TO NEGOTIATE AGREEMENT (ERN) WITH EL TORO BREWING</u>	65
		<u>Recommended Action(s):</u>	
		1. <u>Authorize</u> the Executive Director to Prepare and Execute a Second Amendment to the ERN with El Toro Brewing to Extend the ERN Deadline to June 24, 2005, with the Ability to Grant Administrative Extensions; and	
		2. <u>Authorize</u> the Executive Director to Begin Preparation of a Disposition and Development Agreement (DDA).	

City Council Action (Continued)

OTHER BUSINESS:

	Time Estimate		Page
8.	10 Minutes	<u>PUBLIC-PRIVATE PARTNERSHIP AT THE OUTDOOR SPORTS COMPLEX REQUEST FOR PROPOSALS</u>	69
		<u>Recommended Action(s):</u>	
		1. <u>Review</u> and <u>Provide Comment</u> on the Request for Proposals (RFP) for Potential Public-Private Partnership of the Outdoor Sports Complex; and	
		2. <u>Direct</u> Staff to Proceed with the Process.	
9.	10 Minutes	<u>PRESENTATION BY MORGAN HILL AQUATIC CENTER, INC.</u>	81
		<u>Recommended Action(s):</u> <u>Receive</u> Report From the Morgan Hill Aquatic Center, Inc.	
10.	20 Minutes	<u>DOWNTOWN TRAFFIC CALMING CONTINUED CONSIDERATION (Continued from 01/19/05 Meeting)</u>	93
		<u>Recommended Action(s):</u> <u>Council Discussion</u> and <u>Direction</u> to Staff.	
11.	15 Minutes	<u>DOWNTOWN AREA BUILDING ALLOTMENT (Continued from 01/19/05 Meeting)</u>	97
		<u>Recommended Action(s):</u> <u>Adopt</u> Resolution.	
12.	10 Minutes	<u>COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RE-PROGRAMMING OF FUNDS</u>	109
		<u>Recommended Action(s):</u>	
		1. <u>Consider</u> Re-Programming of \$35,724 in FY 2004-2005 CDBG Funds; and	
		2. If Approved, <u>Authorize</u> the City Manager to do Everything Necessary and Appropriate to Re-Program CDBG Funds, Including the Execution of All Required Documents to Transfer Funds to the Day Worker Center Site Improvements Project; Subject to Review and Approval by the City Attorney.	

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

City of Morgan Hill
Regular Redevelopment Agency,
Special City Council Meeting, and
Morgan Hill Financing Authority Commission Meeting
January 26, 2005
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Redevelopment Agency Action and City Council Action

CLOSED SESSION:

1.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Authority: Government Code Sections 54956.9(b) & (c)
Number of Potential Cases: 2

2.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Case Name: Jackson v. City Morgan Hill
Case Number: San Jose WCAB SJO246465
Attendees: City Manager, City Attorney, Human Resources Director

3.

CONFERENCE WITH LABOR NEGOTIATOR:

Legal Authority: Government Code Section 54957.6
Agency Negotiators: City Manager; Human Resources Director
Employee Organizations:
AFSCME Local 101
Morgan Hill Community Service Officers Association

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

RECONVENE

CLOSED SESSION ANNOUNCEMENT

ADJOURNMENT